



BILLING CODE 6717-01-P
DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

Loup River Public Power District

Project No. 1256-031 - Nebraska
Loup River Hydroelectric Project

Notice of Proposed Restricted Service List
for a Programmatic Agreement for Managing
Properties Included in or Eligible for Inclusion in
the National Register of Historic Places

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure¹ provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding. The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Nebraska State Historical Society (Nebraska SHPO) and the Advisory Council on Historic Preservation (Advisory Council) pursuant to the Advisory Council's regulations, 36 CFR Part 800, implementing section 106 of the National Historic Preservation Act, *as amended*, (16 USC section 470f), to prepare a Programmatic Agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places that could be affected by issuance of a new license for the Loup River Hydroelectric Project No. 1256.

The programmatic agreement, when executed by the Commission and the Nebraska SHPO, would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR section 800.13[e]). The Commission's responsibilities pursuant to section 106 for the project would be fulfilled through the Programmatic Agreement, which the Commission staff proposes to draft in consultation with certain parties listed below. The executed Programmatic Agreement would be incorporated into any Order issuing a license.

Loup River Public Power District, as applicant for the Loup River Hydroelectric Project, the Omaha Tribe of Nebraska, the Pawnee Nation of Oklahoma, and the Santee

¹ 18 CFR section 385.2010.

Sioux Tribe of Nebraska have expressed an interest in this proceeding and are invited to participate in consultations to develop the Programmatic Agreement. For purposes of commenting on the programmatic agreement, we propose to restrict the service list for Project No. 1256 as follows:

John Eddins or Representative
Advisory Council on Historic
Preservation
The Old Post Office Building
Suite 803
1100 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

L. Robert Puschendorf or
Representative
State Historic Preservation Office
Nebraska State Historical Society
1500 R Street
P.O. Box 82554
Lincoln, NE 68501-2554

Neal Suess or Representative
Loup River Public Power District
PO Box 988
2404 15th Street
Columbus, Nebraska 68602

Rodney Morris, Tribal Chairman
Omaha Tribe of Nebraska
100 Main St.
PO Box 368
Macy, NE 68039

Marshall Gover, President
Pawnee Nation of Oklahoma
PO Box 470
881 Little Dee Dr.
Pawnee, OK 74058

Roger Trudell, Tribal Chairman
Santee Sioux Nation
108 Spirit Lake Ave. West,
Niobrara, NE 68760-7219

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. Also please identify any concerns about historic properties, including Traditional Cultural Properties. If historic properties are to be identified within the motion, please use a separate page, and label it **NON-PUBLIC** Information.

The Commission strongly encourages electronic filing. Please file motions using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The first page of any filing should include docket number P-1256-031.

If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions within the 15-day period.

Dated: August 23, 2013.

Kimberly D. Bose,
Secretary.

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